

STATE OF CALIFORNIA  
DEPARTMENT OF MOTOR VEHICLES

# VEHICLE INDUSTRY NEWS

## VIN 2003-16

**Subject : 2003 Legislation**

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### Background

This is a brief summary of the 2003 legislation which will impact the Department of Motor Vehicles' (DMV) operations only. It is not a complete list of all 2003 legislative bills. All changes become effective January 1, 2004, unless otherwise stated. You will be notified about changes to policies or procedures in separate memos. If you are interested in further information regarding these bills, visit the legislative information website at [www.leginfo.ca.gov](http://www.leginfo.ca.gov).

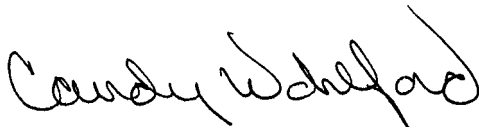
### Distribution

This memo was distributed in November 2003 to the following:

- Dealers
- Dismantlers
- Registration Services

### Contact

Direct questions or concerns regarding this memo to your supervisor who, if necessary, may call the CPD Help Desk at (916) 657-6567 or CALNET 8-437-6567.



CANDY WOHLFORD, Deputy Director  
Communication Programs Division

**Vehicle Registration**

<i>Code Reference</i>	<i>Comments</i>
<b>Parking: Persons with Disabilities: Violations</b> Amend: Penal Code §§1465.5, 1465.6 Add: Vehicle Code §§4461.3, 42001.13 Amend: Vehicle Code §§22511.55, 22511.59, 42001, and 42001.5	Requires DMV to print on disabled persons' placards, issued on or after January 1, 2005, the maximum penalty for the unlawful use of a disabled person placard. It also authorizes cities and counties, by ordinance or resolution, to impose an additional penalty of \$100 on a person found using a placard who is not entitled to it. The resulting revenues would be used specifically for improving enforcement of disabled parking restrictions and could be used to offset the cost of establishing new disabled parking enforcement programs.
<b>Exhaust Systems: Whistle-Tip</b> Add: Vehicle Code §27150.3 Amend: Vehicle Code §42001	Defines a whistle-tip as a device that modifies exhaust pipes so that they create high-pitched or shrieking noises when the vehicle is operated. Prohibits vehicle owners from modifying their exhaust systems by installing whistle-tip devices. A violation of this provision would be punishable by a fine of \$250. Prohibits a person from engaging in the business of installing whistle-tips on exhaust systems of motor vehicles. A violation of this provision would be punishable by a fine of \$1,000.
<b>License Plates: Display: Persons With Disabilities</b> Amend: Vehicle Code §5201	Authorizes a person to operate a vehicle when the rear license plate is obscured by a wheelchair carrier if the owner has been issued a disabled person's license plate or placard and the vehicle displays a decal containing the license plate number of that vehicle.
<b>Recreational Vehicles</b> Add: Vehicle Code §35103 Amend: Vehicle Code §§260, 15210	Permits a vehicle used for recreational purposes, such as a motor home or travel trailer, to exceed 102 inches in width if the excess width is attributable to an appurtenance, excluding a safety device, that does not exceed six inches beyond the side wall of the vehicle. An appurtenance is defined as "an integral part of a vehicle and includes, but is not limited to, awnings, grab handles, lighting equipment, cameras, and vents."
<b>All Terrain Vehicles</b> Amend: Vehicle Code §§111, 38506	Allows the operator of an all-terrain vehicle (ATV) to carry a passenger while on public lands as long as the ATV is designed to carry both an operator and a passenger. It also updates the ATV statute, to reflect the fact that many ATVs are now designed and manufactured to carry both an operator and a passenger.
<b>Air Pollution Control District: San Joaquin</b> Add: Health and Safety Code Chapter 5.7 (starting with Section 40600) to Part 3 of Division 26 Add: Vehicle Code §9250.16 Repeal: Section 5 Ch. 915 of the Statutes of 1994 for air quality.	Authorizes the San Joaquin Valley Unified Air Pollution Control District to impose a \$1 fee on the initial registration or renewal of registration of motor vehicles in the district to be used to reduce air pollution from motor vehicles in the district. DMV will collect the local fee on behalf of the district. It also requires that the department begin collecting the \$1 fee on January 1 of the fiscal year immediately following the date the department receives the request.

**Vehicle Registration**

<i>Code Reference</i>	<i>Comments</i>
<b>Transfer of Legal Ownership</b> Amend: Vehicle Code §§4453.5, 5753	Requires the legal owner to mail, transmit or deliver the certificate of ownership, within 15 business days after receipt of payment in full for the satisfaction of a security interest, to a transferee who is entitled to a transfer of legal ownership.
<b>License Plates</b> Amend: Vehicle Code §4467	Includes subjects of stalking within the provision requiring the DMV to provide a new set of license plates to a registered owner of a vehicle who appears in person and submits an application. Requires the applicant to provide certain specified fees regarding the issuance of duplicate license plates.
<b>Vehicle: Removal: Disposal</b> Amend: Vehicle Code §22851.3	Allows a lienholder to request and provide authorization to dispose of a vehicle after the notification period when a vehicle has been removed by a peace officer or other public employee. Increases the maximum value of the vehicle to which these provisions apply.
<b>Vehicle Sale and Lease Contracts: Disclosures</b> Amend: Civil Code §§2982, 2982.5, 2985	Requires every lease contract to disclose the amount of any optional business partner automation program fee to register or transfer the vehicle. Requires conditional motor vehicle sales contracts to disclose the amount of any optional business partner automation program to register or transfer a vehicle.
<b>Air Pollution: Motor Vehicles</b> Add: Penal Code §1463.15 Amend: Health and Safety Code §44062.1 Amend: Vehicle Code §42001.2 Add: Vehicle Code §2814	Provides minor changes to the repair assistance program available to eligible individuals whose vehicle has failed a smog check inspection.

**Driver License and Financial Responsibility**

<i>Code Reference</i>	<i>Comments</i>
<del><b>Social Security Account Number: Driver License: Identification Card</b></del> <del>Add: Vehicle Code §§12801.2, 12801.9</del> <del>Amend: Vehicle Code §§1653.5, 12800, 12801, 12801.5, 12814.5, 13000</del>	<del>Changes the requirements to obtain a driver license or identification card. Specifically:</del>  <del>1. Requires DMV to accept either an applicant's social security account number (SSN), a federal individual taxpayer identification number (ITIN), or any other number or identifier deemed appropriate by DMV, on its forms related to the issuance of driver licenses or ID cards (A federal ITIN is a nine digit number issued by the Internal Revenue Service for wage and tax reporting purposes to people who are not eligible for an SSN.)</del>  <del>2. Requires every application for an original or renewal driver license to include documentation acceptable to DMV that the</del>

**Driver License and Financial Responsibility**

<i>Code Reference</i>	<i>Comments</i>
<del>Social Security Account Number: Driver License: Identification Card, continued</del>	<p>applicant resides in this state.</p> <p><del>3. Prohibits DMV from completing a driver license application unless the applicant submits an SSN, or a federal ITIN, or other number or identifier deemed appropriate by DMV, accompanied by an affidavit under penalty of perjury attesting that the applicant does not possess an SSN. Upon obtaining an SSN, the applicant would be required to provide that number to DMV.</del></p> <p><del>4. Prohibits DMV from completing an application for the issuance or transfer of a vehicle's registration or certificate of title without the applicant's driver license number or ID card number. Requires DMV to require every applicant for an original driver license or ID card to present an identification document acceptable to DMV, for the purpose of establishing identity prior to completing an application.</del></p> <p><del>5. Requires any applicant who furnishes DMV with his or her ITIN to present a birth certificate or record of birth, determined to be acceptable by DMV, issued by a foreign jurisdiction, and, in addition, one of the following documents, determined acceptable by the DMV: (a) Matricula consular issued by the government of the United States of Mexico, (b) a passport issued by a foreign jurisdiction, (c) a military identification card bearing the applicants photograph, from the county of origin, (d) a driver license, bearing the applicant's photograph, issued by a foreign jurisdiction, or (e) a driver license, bearing the applicant's photograph, issued by another state, possession or territory of the United States.</del></p> <p><del>6. Allows DMV, through regulations, to accept documents in addition to those specified above, provided that those additional documents accurately confirm the identity of the applicant.</del></p> <p><del>7. Allows an applicant who does not possess a birth certificate or birth record from his or her country of origin to present two or more of the other documents specified above.</del></p> <p><del>8. Allows an applicant who presents a birth certificate or record of birth issued by his or her country of origin, but who does not possess any of the other documents above, to present, in addition to the birth certificate, a letter from the Consulate General of his or her home country that confirms the authenticity of the birth record.</del></p> <p><del>9. Requires applicants for commercial driver licenses to include</del></p>

**Driver License and Financial Responsibility**

<i>Code Reference</i>	<i>Comments</i>
<del><b>Social Security Account Number:</b> <b>Driver License: Identification Card, continued</b></del>	<p><del>their SSNs in their applications.</del></p> <p><del>10. Specifies that no driver license renewal applicant shall be required to appear in person at a DMV office if that person is otherwise eligible to renew by mail.</del></p> <p><del>11. Requires DOJ, in consultation with DMV and other interested parties, to study the cost, feasibility, technological capacity, and privacy implications of developing a biometric system to protect the integrity of driver licenses and ID cards.</del></p> <p><del>12. Requires the findings of that study to be provided to the Legislature no later than January 1, 2005.</del></p> <p><del>13. Repeals the requirement for applicants for original driver licenses and ID cards to submit proof of their legal presence in the United States.</del></p>
<b>California Organ and Tissue Donor Registry</b>  Amend: Health & Safety Code §7152.7, Vehicle Code §§1672, 12811, 13005  Repeal: Vehicle Code §§13005, 12811	Repeals the requirement that the Health and Human Services Agency establish and maintain the California Organ and Tissue Donor Registry and instead authorizes California organ procurement organizations to establish a not-for-profit organization known as the California Organ and Tissue Donation Registrar. It also makes related and conforming changes to the organ and tissue donor forms and brochures which must be made available in DMV offices.
<b>Driving Under the Influence (DUI): Driver License Sanctions</b>  Amend: Vehicle Code §§13353.8, 23612	Prohibits a person under the age of 21, convicted of driving with a blood alcohol content of .01 percent or more, from receiving a restricted driver license, if that person has been convicted of specified DUI violations within seven years, or has had a driver license suspended or revoked within that seven year period. It also allows any official record of a chemical test analysis, maintained in a government forensic laboratory, and electronically transmitted to DMV via computer, to be admitted as evidence in DMV administrative proceedings.
<b>Driving Under the Influence (DUI): License Restriction</b>  Amend: Vehicle Code §13352.5	Allows a person who was placed on probation after a second DUI offense to get a restricted license to drive to and from the program and to and from work, if he/she is no longer on probation and has not completed the required treatment program. It specifically allows a restricted license to a person who (1) has been convicted of a second DUI on or before July 1, 1999, (2) was granted probation under Section 23542 of the Vehicle Code and the court ordered the restriction, (3) is no longer subject to probation, (4) has not finished the DUI treatment program as required, and has no violations that would preclude a restricted license.

**Driver License and Financial Responsibility**

<i>Code Reference</i>	<i>Comments</i>
<b>Notice to Appear</b> Amend: Penal Code §§853.5, 853.6 Amend: Vehicle Code §§40303, 40305, 40305.5, 40500, 40504	An officer who arrests a person for a traffic offense, can require that person to place a thumbprint on the 10 day notice to appear, if that person does not have satisfactory identification.
<b>Vehicles: Video Displays</b> Amend: Vehicle Code §27602	Prohibits any person from driving a motor vehicle if a certain video monitor, or a video screen, or any other, similar means of visually displaying a video signal, is operating and is located in the motor vehicle at any point forward of the back of the driver's seat, or is visible to the driver while driving the vehicle. Provides this prohibition does not apply to specified equipment or motor vehicle providing emergency service or roadside assistance.
<b>Vehicles: House Cars</b> Add: Vehicle Code §35103 Amend: Vehicle Code §§260,15210	Allows a vehicle used for recreational purposes to exceed the maximum width limitations if the excess width is attributable to an appurtenance. Excludes house car from the definition of a commercial vehicle when not used for hire, compensation, or profit.
<b>Voter Registration and Digitized Signatures</b> Add: Elections Code Article 3.5 (commencing with Section 2145) to Chapter 2 of Division 2, Vehicle Code §12950.4 Amend: Elections Code §3206, Vehicle Code §12950	Provides that a digitized signature may be used to verify the identity of a voter using a driver license and requires DMV to collect digitized signatures on each driver license. DMV must provide the digitized signature of every person who registers to vote on the voter registration card provided by DMV to the Secretary of State. It also requires DMV to provide the Secretary of State with change of address information for every voter who requests an address change for voter registration purposes.
<b>Instruction Permits: Driving Instructor Licenses: Provisional Licensing Program</b> Amend: Vehicle Code §§11104, 12509, 12660, 12814.6	<p>Raises the minimum age limit to receive a driving instruction permit to fifteen years and six months and eliminates the current practice of allowing minors to participate in a simultaneous program of classroom and behind-the-wheel instruction. It also requires that the classroom driver education program be completed before the minor is eligible to receive an instruction permit, unless the minor enrolls in an integrated driver education/driver training program offered by a licensed driving school. It also authorizes an integrated driver education/driver training program.</p> <p>Permits an otherwise qualified person with disabilities to become a licensed driver education instructor. Current law prohibits this because a licensed instructor must hold a valid driver license. This change will allow persons with disabilities to serve in the classroom.</p>
<b>Child Passenger Restraint System</b> Amend, Repeal, and Add: Vehicle Code §27360	Effective January 1, 2005, specifies a child under the age of six and who weighs less than 60 pounds may only ride in the front seat of a vehicle if the child is secured in a federally approved child passenger restraint system and one or more of the following circumstances

**Driver License and Financial Responsibility**

<i>Code Reference</i>	<i>Comments</i>
<b>Child Passenger Restraint System</b> , <i>continued</i>	<p>exist:</p> <ul style="list-style-type: none"> <li>• There is no rear seat;</li> <li>• The rear seats are side-facing jump seats;</li> <li>• The rear seats are rear-facing seats;</li> <li>• The child passenger restraint system cannot be installed properly in the rear seat;</li> <li>• All rear seats are already occupied by children under the age of 12 years, rather than under six years; and/or,</li> <li>• Medical reasons necessitate that the child may not ride in the rear seat.</li> </ul> <p>It also prohibits any child from riding in the front seat of a motor vehicle with an active passenger air bag if the child is under one year of age, weighs less than 20 pounds, or is riding in a rear-facing child passenger restraint system.</p>

**Occupational Licensing**

<i>Code Reference</i>	<i>Comments</i>
<b>New Motor Vehicle Board: Recreational Vehicle Dealers</b> Add: Vehicle Code §3069.1, and Article 5 (commencing with Section 3070) to Chapter 6 of Division 2  Amend: Vehicle Code §§415, 426, 3001, 3003, 3051, 3066	<p>Requires that the practices and activities of recreational vehicle dealers be regulated by the New Motor Vehicle Board. It also redefines “motor vehicle” to include recreational vehicles that are not self-propelled, such as fifth-wheel trailers, and would establish that this new definition be used solely for the purpose of adding recreational vehicles and RV dealers to the jurisdiction of the Board.</p>
<b>Manufacturer: Disclosure</b> Effective Beginning July 1, 2004 Add: Vehicle Code §9951	<p>Defines a recording device as a device installed by the manufacturer of a vehicle for the purpose of retrieving data after a collision, which does one or more of the following:</p> <ul style="list-style-type: none"> <li>• records how fast and in which direction the motor vehicle was traveling,</li> <li>• records a history of where the motor vehicle travels,</li> <li>• records steering performance,</li> <li>• records brake performance,</li> <li>• records the driver’s seatbelt status, or</li> <li>• has the ability to transmit information concerning an accident to</li> </ul>

**Occupational Licensing**

<i>Code Reference</i>	<i>Comments</i>
<b>Manufacturer: Disclosure,</b> <i>continued</i>	<p>a central communications system at the moment the collision occurs.</p> <p>It also provides that data recorded by a recording device is the sole property of the registered owner of the vehicle and may not be retrieved by any other person, except under the following circumstances:</p> <ul style="list-style-type: none"> <li>• with the owner's consent,</li> <li>• pursuant to a court order,</li> <li>• by the vehicle manufacturer for the purpose of improving safety if the identity of the owner is not disclosed, and</li> <li>• to repair the vehicle.</li> </ul>
<b>Traffic Violator Schools</b> Add: Vehicle Code §§11205.2, 11214 Amend: Vehicle Code §11205 Repeal: Vehicle Code §11214	<p>Clarifies the authority of court assistance programs (CAPs) to monitor traffic violator schools (TVS). Specifically:</p> <ol style="list-style-type: none"> <li>1. Clarify that TVS lists shall be transmitted by the Department of Motor Vehicles to all superior courts.</li> <li>2. Require a court to notify a TVS owner of its rationale for removing that TVS from a DMV referral list.</li> <li>3. Define a CAP as a public or private nonprofit agency that provides services, under contract with a court, to process traffic violators.</li> <li>4. Require a CAP, when its evaluation of a TVS is negative, to send a copy of its report to the licensee within 30 days after the date of the monitoring. Copies of all other monitoring reports must be available to a licensee upon request and with a fee not to exceed the cost of postage and photocopying.</li> <li>5. Prohibit DMV or a court from removing the name of a TVS with a current license from any student referral list published by DMV or a CAP, without the school being provided the opportunity for a DMV or court hearing to determine whether the removal is warranted. Any decision to remove a name would be allowed to be appealed to any court of competent jurisdiction.</li> <li>6. Require a CAP auditing or inspecting the records of a TVS, pursuant to a contract with a court, to use the same process and procedures used by DMV to conduct the audit or inspection.</li> <li>7. Allow DMV's monitoring of a TVS to be conducted without</li> </ol>



**Occupational Licensing**

<i>Code Reference</i>	<i>Comments</i>
<b>Traffic Violator Schools,</b> <i>continued</i>	advance notice to the TVS.  8. Declare that nothing in this bill restricts or changes the authority of a court to offer court authorized or court approved programs to traffic violators, including, but not limited to, home study programs.

**Records Access & Confidentiality**

<i>Code Reference</i>	<i>Comments</i>
<b>Residence Addresses</b> Amend: Vehicle Code §1808.25	Existing law requires the Department of Motor Vehicles, until January 1, 2004, to implement a pilot project to provide residence address information to an independent institution of higher education if the institution meets certain requirements and requests the address information solely for the purposes of enforcement of parking restrictions. Current law also required the DMV to submit a report to the Legislature containing its evaluation of the pilot project by January 1, 2003. This new law deletes the January 1, 2004 repeal date of this program and continues it indefinitely as an ongoing program.
<b>Personal Information</b> Add: Civil Code §§1799.1b and Title 1.81.2 commencing with Section 1798.90.1) to Part 4 of Division 3 Amend: Civil Code §§1785.11.1, 1785.11.2 Amend: Penal Code §§530.6, 530.8 Amend: Public Utilities Code §2891	Provides that any business may swipe a driver license or identification (ID) card in any electronic device for the following purposes: <ul style="list-style-type: none"> <li>• to verify age or the authenticity of the driver license or ID card,</li> <li>• comply with a legal requirement to record, retain, or transmit that information,</li> <li>• to transmit information to a check service company for the purpose of approving negotiable instruments, electronic funds transfers, or similar methods of payments, provided that only the name and ID number for the license or the card may be used or retained by the check service company,</li> <li>• to collect or disclose personal information that is required for reporting, investigating, or preventing fraud, abuse, or material misrepresentation.</li> </ul> <p>If a business violates the provisions/limitations of this section, it may be charged with a misdemeanor punishable by imprisonment in a county jail for no more than one year, or by a fine of no more than \$10,000, or by both.</p>
<b>Department of Motor Vehicles: Records</b>	Allows certain domestic violence and stalking victims to request the DMV to suppress their records for four years following application by the licensee. It also allows the suppression to be continued for an

**Records Access & Confidentiality**

<i>Code Reference</i>	<i>Comments</i>
Amend: Vehicle Code §1808.21	additional four-year period, and for subsequent four-year periods, upon the submission of appropriate documents by the victims showing that they are still enrolled in the Safe at Home Program.
<b>DMV Records</b> Amend, Add, Repeal: Vehicle Code §1808.22	Declares that an attorney, working on behalf of the owner of a private parking facility, may not access confidential residence address information from the DMV for the purpose of pursuing unpaid parking fees. This bill clarifies the Legislature's original intent in enacting Vehicle Code Section 1808.22(c), to allow attorneys access to records for serious, motor vehicle related cases.
<b>DMV Records Access</b> Amend: Vehicle Code §1810.5	Authorizes city attorneys prosecuting misdemeanor actions to have access to DMV records.

**Transportation Omnibus Issues**

<i>Code Reference</i>	<i>Comments</i>
<b>Transportation Committee</b> Add: Vehicle Code §11519 Add: Public Utilities Code §120051.1 and Chapter 6 (commencing with Section 125700) Division 11.5 Amend: Business & Professions Code §5463 Amend Code of Civil Procedures §§116.870, 116.880 Amend: Public Contract Code §20351 Amend: Public Utilities Code §§ 120050.2, 120051, 120051.6, 120054 Amend: Revenue & Taxation Code §§10753, 10753.7 Amend: Streets and Highways Code §§188.8, 302 Amend: Vehicle Code §§544, 1800, 3014, 3015, 3050.1, 3050.2, 3050.3, 3050.4, 3050.6, 3050.7, 3052, 3059.1, 3059.2, 3059.3,	Makes minor, technical, grammatical and non-controversial changes to the Vehicle Code and Revenue and Taxation Code.  <ol style="list-style-type: none"> <li>1. Deletes obsolete cross-references in Section 10753 of the Revenue and Taxation Code for the computation of the vehicle license fee when a commercial vehicle is modified at a cost of \$2,000 or more and upon the sale or transfer of a used vehicle.</li> <li>2. Makes minor, technical, clarifying changes to the sections that require a dealer or lessor-retailer to submit to the department an application with all fees and penalties due for registration or transfer of registration within 30 days from the date of sale for a used vehicle, and 20 days if the vehicle is a new vehicle. A dealer or lessor-retailer is not allowed to charge the customer the penalties for fees that were not submitted on time.</li> <li>3. Amends Section 4466 of the Vehicle Code to establish a method for identity verification for businesses and for persons who are not residents of California but have California-registered vehicles. This amendment also would establish additional exemptions from these requirements (legal owner, IRP/PFR vehicles, implements of husbandry, and trailers).</li> <li>4. Deletes the 5,000 minimum application amount originally specified in Vehicle Code Section 5068, establishing Veterans' Organization license plates, and references the</li> </ol>

**Transportation Omnibus Issues**

<i>Code Reference</i>	<i>Comments</i>
<p>3059.4, 3059.6, 3062, 3066, 3067, 4453, 4456, 4466, 5068, 5101.2, 5200, 5201, 6700, 9107, 11204, 12810.5, 13370, 15210, 15250.7, 16000, 16431, 24403, 24609, 27400</p> <p>Repeal: Vehicle Code §§5004.6, 5070, 5071, 5071.1, 5073, 5080</p> <p>Repeal: Streets &amp; Highways Code §229.40</p> <p><b>Transportation Committee,</b> <i>continued</i></p>	<p>standard minimum application threshold of 7,500.</p> <ol style="list-style-type: none"> <li>5. Repeals obsolete Vehicle Code Sections 5070, 5071, 5071.1, 5073, and 5080 pertaining to special interest license plates which have not been and will not be produced (breast cancer treatment, acquired immune deficiency syndrome (AIDS), Girl Scouts, Ronald Reagan Presidential Library, and Rotary International). The sponsoring organizations were unable to gather the minimum volume of applications required for production within the specified time frame.</li> <li>6. Amends Section 5105.2 of the Vehicle Code to ensure the revenues derived from the additional fees provided by the Firefighter License Plate are deposited in the California Firefighter's Memorial Fund commencing in 2006.</li> <li>7. Amends Section 5200 of the Vehicle Code to clarify that when one license plate is issued to a truck tractor the license plate is required to be placed on the front of the vehicle.</li> <li>8. Amends Section 9107 of the Vehicle Code to reinstate the exemption from weight fees for Special Transportation Vehicles, which was inadvertently deleted by the Commercial Vehicle Registration Act of 2000.</li> <li>9. Allows a TVS operator to submit evidence of continuing professional education to renew his/her license, in lieu of the written examination administered by the DMV.</li> <li>10. Adds Section 11519 to the Vehicle Code dealing with salvaged and dismantled vehicles. This reinserts a section that was inadvertently allowed to sunset January 1, 2003. This new provision would also specify requirements for the subsequent re-registration of total loss salvage or dismantled vehicles.</li> <li>11. Amends Section 13370 of the Vehicle Code to modify the reapplication process to allow a person who has only failed to meet the testing requirements to reapply for another certificate after 45 days, rather than the one year delay applied to persons whose license is removed for reasons related to departmental actions.</li> <li>12. Amends Section 16000 of the Vehicle Code to specify that, if neither party reports a vehicle accident within one year, the DMV would not be obligated to accept a later report and take actions against either party.</li> <li>13. Amends Section 16431 of the Vehicle Code to delete an incorrect Vehicle Code reference to §16370.5. This amendment would clarify that proof of financial</li> </ol>

**Transportation Omnibus Issues**

<i>Code Reference</i>	<i>Comments</i>
<b>Transportation Committee,</b> <i>continued</i>	<p>responsibility is not required to regain the driving privilege after a suspension for failure to pay a small claims court judgment (property damage is less than \$500).</p> <p>14. Amends Section 116.870 of the Code of Civil Procedures to correct references to the minimum motor vehicle accident property damage limit that increased from \$500 to \$750 on January 1, 2003.</p> <p>15. Amends Vehicle Code Sections 3014, 3015, 3059.1, 3059.2, 3050.3, 3050.4, and 3050.6 of the Vehicle Code, relating to the New Motor Vehicle Board (NVMB), to change the title of the chief administrative officer from "Secretary" to "Executive Director" and change "hearing officer" to "administrative law judge." The bill also corrects Government Code references to reflect current organizational structure and duties of the NVMB staff and administration.</p> <p>16. Amends Vehicle Code Section 544, "total loss salvage vehicle," to expand the definition to allow the person responsible for repair of the vehicle to decide if the vehicle is uneconomical to repair and whether or not it is going to be repaired. This amendment clarifies that when a vehicle is determined to be a total loss by the insurance company of the owner or the one paying for the damages, a salvage certificate must be applied for whether the insurance company assumes possession of the vehicle or it is retained by the registered owner. In addition, an insurer who has made a total loss payment must secure an agreement with the client (claimant) as to the amount of the total loss settlement.</p> <p>17. Amends Section 4453 of the Vehicle Code to allow the DMV to print the registered owner's mailing address on the registration card and certificate of title, when provided, in lieu of the residence or business address.</p> <p>18. Amends Section 12810.5 and removes the 1993 operative date.</p>
<b>Budget Committee</b> Add: Vehicle Code §1678 Amend: Code of Civil Procedure §488.385 Amend: Revenue and Taxation Code §10902 Amend: Vehicle Code §§1685, 4064, 5014, 5036, 5066, 6700.25,	<p>Contains a number of vehicle registration, weight, driver license and identification card fee increases.</p> <p>1. Increases the current \$3 fee authorized in the Code of Civil Procedures Section 488.385 for filing a lien on a vehicle to \$15.</p> <p>2. Increases the current \$7 fee specified in Revenue and Taxation Code Section 10902 for processing a refund of the pro rata portion of the Vehicle License Fee in the event a vehicle has been declared a total loss salvage or</p>

**Transportation Omnibus Issues**

<i>Code Reference</i>	<i>Comments</i>
9102.5, 9250, 9250.8, 9250.13, 9252, 9254, 9258, 9261, 9265, 9400.1, 9554, 9702, 11515, 11515.2, 12814.5, 14900, 14900.1, 14901, 14902, 38121, 38225.4, 38225.5, 38232, 38255, 38260, 38265  Amend: Item No. 2720-001-0044 of the Budget Act of 2003  Repeal: Vehicle Code §38225.4  <b>Budget Committee, continued</b>	nonrepairable vehicle to \$15.  3. Authorizes DMV to assess a \$3 fee when providing information to “private industry partners” to allow these partners to provide registration and titling services to the public.  4. Increases the \$10 fee for filing a “planned non-operation” notice for a vehicle that is not being operated (VC Section 4604) to \$15.  5. Increases the current \$7 fee for issuance of a special identification plate (VC Section 5014) for specified vehicles, such as logging vehicles, cotton trailers or farm vehicles, to \$15.  6. Increases the current \$5 fee for the issuance or transfer of special license plates for privately-owned motorized bicycles (VC Section 5036) to \$15.  7. Authorizes the DMV to retain approximately \$50,000 annually from the California Memorial license plate fund to cover the costs of promoting this plate (i.e. mailer inserts).  8. Increases the current \$10 fee charged for the issuance of nonresident daily commuter indicia (VC Section 6700.25) to \$15.  9. Increases the current \$10 fee charged for the registration of a privately-owned school-bus or any school-bus used exclusively to transport students at or below the 12 <sup>th</sup> grade to or from any school, for an education-related purpose, or for an activity sponsored by a nonprofit organization (VC Section 9102.5) to \$15.  10. Increases the current \$28 registration fee on all non-exempt vehicles and trailer coaches (VC Section 9250) to \$31, effective January 1, 2004.  11. Increases the current \$1 or \$3 (commercial vehicle) fee collected on all vehicles subject to registration (VC Section 9250.8) to ensure sufficient support for the California Highway Patrol to \$3 and \$9 respectively.  12. Increases the current \$1 or \$3 (commercial vehicle) fee collected on all vehicles subject to registration (VC Section 9250.13) to ensure sufficient support for the California Highway Patrol to \$6 and \$12 respectively.  13. Increases the current \$10 service fee assessed at time of registration of a vehicle purchased new or previously registered outside of California (VC Section 9252), and a \$6

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<i>Code Reference</i>	<i>Comments</i>
<b>Budget Committee, <i>continued</i></b>	<p>fee which is currently assessed when a vehicle is being re-registered in California during the same registration year to \$15 each.</p> <p>14. Increases the current \$10 service fee for the issuance of a certificate of ownership when the vehicle is not being registered (VC Section 9254) to \$15.</p> <p>15. Increases the current \$10 fee for a one-trip permit that allows the movement or operation of specified vehicles while unregistered (VC Section 9258) to \$15.</p> <p>16. Increases the current \$7 service fee for an identification plate for specified vehicles, the \$7 fee to transfer the ownership of such a vehicle, and the \$3 fee for the renewal of this identification plate (VC Section 9261) to \$15 each.</p> <p>17. Increases the current \$7 fee to obtain a duplicate certificate of ownership, registration card, equipment identification card and specified duplicate/substitute license plates (VC Section 9265) to \$15.</p> <p>18. Increases by 20% the weight fee for commercial vehicles using the gross combined vehicle weight system (VC Section 9400.1). These fees were established pursuant to SB 2084, Polanco (Ch. 861, Stats. of 2000) as a means to conform California's collection of weight fees with the International Registration Plan (IRP) parameters applicable to all other IRP jurisdictions. SB 2084 was enrolled with statutory assurances and an agreement with the industry that the new program would be "revenue neutral." This has proven not to be the case, therefore, these weight fee increases were deemed necessary. This bill would increase these fees for these commercial vehicles as of December 31, 2003 and would provide for an additional increase in these fees if the Department of Finance determines that the actual weight fee revenues deposited in the State Highway Account in FY 2003/04 do not total at least \$789,000,000. It also specifically prohibits any of this additional revenue to be used for mass transit guideways (California Constitution, Article XIX, Section 1(b)).</p> <p>19. Increases the Motor Vehicle Account portion of the weight fee contained in VC Section 9400.1 from the current \$82 to \$122.</p> <p>20. Requires, effective July 1, 2004, that DMV issue decals to commercial vehicles subject to the fees in Vehicle Code Section 9400.1 that would reflect the vehicle's declared gross</p>

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<i>Code Reference</i>	<i>Comments</i>
<b>Budget Committee, <i>continued</i></b>	<p>combined weight or gross operating weight reported to DMV. The decals are to be displayed on both the right and left sides of the vehicle. It allows DMV to charge a fee, not more than \$10, for the department's actual costs in producing and issuing the decals and specifies that this fee be deposited into the Motor Vehicle Account.</p> <p>21. Increases the current \$10 penalty fee when the transfer of vehicle ownership is delinquent (VC Section 9554) to \$15.</p> <p>22. Increases the current \$3 fee for partial year registration of commercial vehicles (VC Section 9702) to \$15.</p> <p>23. Increases the current \$3 fee for the issuance of a salvage certificate (VC Section 11515) to \$15.</p> <p>24. Increases the current \$3 fee for the issuance of a nonrepairable vehicle certificate (VC Section 11515.2) to \$15.</p> <p>25. Increases the current fees charged under the driver license programs for an original or a renewal of a noncommercial driver license from \$12/\$15 to \$24, and standardizes the term of all noncommercial licenses at five years (VC Section 12814.5).</p> <p>26. Eliminates the option for a four-year commercial license and establishes the standard term of a commercial license as five years. This bill retains the current \$34 fee for five-year commercial licenses.</p> <p>27. Increases the current \$12 fee for the issuance of a noncommercial or motorcycle driver license that expires after four years (VC Section 12814.5) to \$24 and increases the term of the license to five years.</p> <p>28. Increases the current \$15 fee to obtain a five-year noncommercial driver license, or for changing the driver license class (VC Section 14900.1) to \$24.</p> <p>29. Increases the current \$12 fee for a duplicate driver license, or for changing the name on a driver license (VC Section 14901) to \$19.</p> <p>30. Increases the current \$6 fee for the issuance of an identification card (VC 14902) to \$20 for a regular identification card. It also provides that a senior citizen identification card, which currently costs \$3, shall be issued free of charge.</p> <p>31. Increases the current \$10 fee for filing the planned non-operation notice on an off-highway vehicle (VC Section</p>

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<i>Code Reference</i>	<i>Comments</i>
<b>Budget Committee, continued</b>	<p>38121) to \$15, and eliminates the exemption from delinquent penalties by requiring that the registration application be submitted prior to operation. These amendments would conform the off-highway planned non-operation provisions with those for on-highway vehicles.</p> <p>32. Increases the current \$1 fee, charged at time of registration of off-highway vehicles, and used to offset the costs of maintaining the uniformed field strength of the CHP (VC Section 38225.4) to \$3.</p> <p>33. Increases the current \$1 fee charged at time of registration of off-highway vehicles to offset the costs of increasing the uniformed field strength of the CHP beyond its 1994 staffing level and those costs associated with maintaining this new level of uniformed field strength and carrying out duties specified in the Penal Code (VC Section 38225.5) to \$3.</p> <p>34. Increases the current \$3 fee for the issuance of a special transportation identification device for a motorcycle used exclusively in racing events on a closed course (VC Section 38232) to \$15.</p> <p>35. Increases the current \$9 fee for the transfer of ownership of an off-highway vehicle (VC Section 38255) to \$15.</p> <p>36. Increases the current \$3 fee for a duplicate ownership certificate, identification certificate, identification license plates or any other tabs, stickers or devices for an off-highway vehicle (VC Section 38260) to \$15.</p> <p>37. Increases the current \$10 fee when the transfer of ownership of an off-highway vehicle is delinquent (VC Section 38265) to \$15.</p> <p>38. Declares that specified fees increased by this bill shall constitute the base amount upon which adjustments can be made on January 1, 2005, and annually thereafter, pursuant to the <i>California Consumer Price Index</i> as calculated by the Department of Finance. This provision would be applicable to all sections contained in this bill <i>except</i>: VC Section 1685, business partner fee (contains its own provision for increasing this fee by the Consumer Price Index); VC Section 5066, California memorial license plate provision; VC Section 9250, the basic registration fee; VC Section 9400.1, the commercial vehicle fees based on the gross vehicle weight; and VC Section 9554, the penalty provisions.</p>